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Appln No. 10/713,939
Docket No. 030392 / BLL-0126REMARKS

Claims 1-19 and 21-23 were pending and were rejected by the Examiner. Claims 1, 2, 4-6, 8, 9, 11-13, 15, 16, 18, 19 and 21-23 have been amended. Claims 3, 10, and 17 have been cancelled. Accordingly, claims 1, 2, 4-9, 11-16, 18, 19, and 21-23 are pending and at issue. The Applicant submits that claims 1, 2, 4-9, 11-16, 18, 19, and 21-23 are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Rejections Under 35 USC 102

Claims 1-19 and 21-23 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Mun et al. US Patent Pub. No. 2003/0022659 A1, (hereinafter, "Mun"). Applicant respectfully traverses the rejection.

As is well settled, to anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Mun merely discloses techniques for providing a *picture* as caller identification. (Caller ID). A mobile switching center (MSC) stores picture information for a first mobile station (MS). When the first MS calls a second MS, the MSC transmits the stored picture information of the first MS to the second MS such that this picture information can be displayed as the Caller ID on a display mechanism of the second MS. This functionality is discussed, for example, in paragraph [0008] of Mun.

In contrast to the techniques disclosed in Mun, Applicant's Claims 1, 8, and 15 (as amended) are directed to methods, storage media, and systems, respectively, for selecting

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enhanced originator information for transmission over a communications network. This enhanced originator information is selected by retrieving two or more information elements from a network database. These information elements include advertising material and at least one of: font and character style capabilities; a logo; an image; audio; multi-media; animation; VPIM; a URL; a physical location address; video; or an alerting tone. Mun neither discloses nor suggests retrieving information elements comprising advertising material and at least one other item as indicated in the list above. Throughout Mun's specification and claims, reference is made only to a picture caller ID (PCID). No reference is made to a comprehensive originator identification that includes at least two different types of information elements as called for in Applicant's claimed invention. Thus, Mun clearly does not anticipate Applicant's invention as set forth in claims 1, 8, and 15.

Furthermore, Mun establishes a complex protocol for verification of the presence of PCIDs even if the MS that establishes the call has subscribed to the service. In the paragraphs cited by the Office Action, that is, 0031-0033 and 0031-0035, Mun specifically discusses this verification process in the form of several SETUP messages that include the calling MS PCID. Setup messages involving the verification of the presence of a PCID of the calling ID is required before any attempt to query the second MS as to whether or not the second MS subscribes to the picture identification service can be made. In contrast, Applicant's claimed invention retrieves the service profile information from a service profile database regardless of the type of enhanced originator information presently available to the originator. Accordingly, Mun only relates to verification of whether or not PCID exists. In contrast, Applicant's claimed invention does not simply disclose whether or not a recipient has subscribed to a comprehensive originator service, but also, more importantly, *what kinds* of enhanced identification services exist.

In addition, Mun discloses only picture identification services, while Applicant's invention discloses enhanced originator information disclosing far more information than merely picture identification. Applicant respectfully points out that all of this other enhanced information is missing from Mun. For the same reasons, Mun does not anticipate "transmitting a

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communication including the information elements to the recipient terminal prior to establishing a communications session with the recipient terminal”.

With respect to claims 2, 9 and 16 as applied to claims 1, 8, and 15, Applicant respectfully submits that since claims 1, 8, and 15 are not anticipated then it follows that claims 2, 9 and 16 are not anticipated. However, Applicant specifically points out that at least a personal computer, a network computer, a wireless mobile computer device, a facsimile, and a network appliance are not found in the Mun specification and therefore cannot be anticipated by Mun.

Claims 3, 10, and 17 have been cancelled, with the recitations of these claims now being incorporated, respectively, into claims 1, 8, and 15. Accordingly, Applicant once again respectfully asserts that the only identification feature that Mun discloses is a picture identification. By contrast, Applicant's invention discloses and claims *comprehensive originator identification* including *advertising material and at least one* of the following: font and character style capabilities; logos; images (other than pictures); audio; multi-media; animations; VPTM; uniform resource locators; a physical location address; video; or alerting tones. None of these elements are disclosed in Mun.

With respect to claims 4, 11, and 18 as applied to claims 1, 8, and 15, Applicant respectfully submits that since claims 1, 8, and 15 are not anticipated, then it follows that Mun does not anticipate claims 4, 11 and 18. Applicant also respectfully points out that Mun is explicitly missing at least the following communications: Data; Video; Messaging; Instant Messaging; and Paging. Applicant has read and performed a word search and does not find these elements in Mun.

With respect to claims 5 and 12 as applied to claims 1 and 8, Applicant respectfully submits that since claims 1 and 8 are not anticipated, then it follows that Mun does not anticipate claims 5 and 12.

With respect to claims 6, 13, and 19 as applied to claims 1, 8, and 15 above, Applicant respectfully submits that since claims 1, 8 and 15 are not anticipated, then it follows that claims 6, 13, and 19 are not anticipated by Mun. Specifically, Mun does not disclose at least the

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following: a packet-switched network; an asynchronous transfer mode network; and a Multi-protocol Label Switching (MPLS) network.

With respect to claims 7 and 14 as applied to claims 1 and 8 above, Applicant respectfully submits that since claims 1 and 8 are not anticipated, then it follows that claims 7 and 14 are not anticipated by Mun.

With respect to claims 21, 22, and 23 as applied to claims 1, 8, and 15 above, Applicant respectfully submits that since claims 1, 8 and 15 are not anticipated, then it follows that claims 21, 22 and 23 are not anticipated by Mun. Furthermore, Applicant respectfully submits that the Office Action has mischaracterized each of claims 21, 22, and 23 as well as the cited paragraphs 0024, and 0028-0029. Mun simply allows a user to choose a PCID *beforehand*, and during registration. This PCID *can be* a still image, characters, or moving pictures representing a caller. In contrast, Applicant claims that the content that is received can be screened during reception of the content, without regard to what was chosen *beforehand*.

The Lee Reference

In response to Applicant's submission of a Draft Amendment on February 26, 2007, the Examiner conducted a supplemental search which identified U.S. Publication No. 2002/0172338 A1, entitled "Multimedia Caller Identification", filed in the names of Anne Lee and Patricia Riley (hereinafter, the Lee reference). Lee fails to disclose or suggest features recited in Applicant's independent claims 1, 8, and 15 directed to "selecting two or more information elements associated with the originator terminal from the network-based originator communications information database by retrieving the two or more information elements based upon at least one of the service plan and terminal capability of the recipient terminal". Lee also fails to disclose that the information elements include advertising material in addition to at least one other item as called for in Applicant's claims 1, 8, and 15.

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For at least the foregoing reasons, the Applicant submits that claims 1, 2, 4-9, 11-16, 18, 19, and 21-23 are in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to the Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

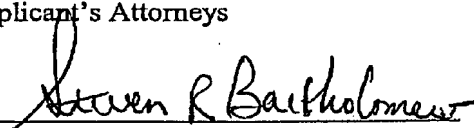
If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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